

Mar 24, 2020

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BECKY L.¹,

Plaintiff,

vs.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:19-CV-03236-MKD

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g)**

ECF Nos. 14, 16

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 16, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney D. James Tree represents Plaintiff. Attorney Jeffrey E. Staples represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 6.

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 After consideration, **IT IS HEREBY ORDERED** that:

2 1. The parties' Stipulated Motion for Remand, **ECF No. 16**, is **GRANTED**.

3 2. The above-captioned case be **REVERSED** and **REMANDED** to the
4 Commissioner of Social Security for further administrative proceeding pursuant to
5 sentence four of 42 U.S.C. § 405(g).

6 On remand, the parties stipulate that the ALJ will:

- 7 (1) Reevaluate the evidence;
8 (2) Reevaluate Plaintiff's alleged symptoms;
9 (3) Reassess Plaintiff's RFC;
(4) Conduct a de novo hearing; and
(5) Issue a new decision.

10 ECF No. 16 at 1-2.

11 3. Judgment shall be entered for **PLAINTIFF**.

12 4. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is **STRICKEN**
13 **AS MOOT**.

14 5. Upon proper presentation, this Court consider Plaintiff's application for
15 fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

16 The District Court Executive is directed to enter this Order, **enter**
17 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

18 DATED March 24, 2020.

19 s/Mary K. Dimke
MARY K. DIMKE
20 UNITED STATES MAGISTRATE JUDGE